

United States Bankruptcy Court  
District of South Carolina

Case Number: 20-03069-dd

Adversary/Complaint Number: 21-80050-dd

Name of Debtor(s): Malcolm Fort Jones, Sr.

**Michelle Vieira, Chapter 7 Trustee for Malcolm Fort Jones, Sr.**

Plaintiffs(s)

v.

**Judy B. Jones**

Defendants(s)

**ALL DOCUMENTS REGARDING THIS MATTER  
MUST BE IDENTIFIED BY BOTH ADVERSARY  
AND CASE NUMBERS**

**SUMMONS**

**Filed By The Court**

**9/9/21**

**Laura A. Austin  
Clerk of Court  
US Bankruptcy Court**

TO THE ABOVE NAMED DEFENDANTS(S):

YOU ARE SUMMONED and required to file a motion or answer to the complaint which is attached to this summons with the Clerk of the Bankruptcy Court within 30 days after the date of issuance of this summons, except that the United States and its offices and agencies shall file a motion or answer to the complaint within 35 days.

United States Bankruptcy Court  
J. Bratton Davis United States Bankruptcy Courthouse  
1100 Laurel Street  
Columbia, SC 29201-2423

At the same time, you must also serve a copy of the motion upon the plaintiff's attorney.

Christine E Brimm  
Barton Brimm, PA  
P.O. Box 14805  
Myrtle Beach, SC 29587

If you make a motion, your time to answer is governed by Fed. R. Bankr. P. 7012.

**IF YOU FAIL TO RESPOND TO THIS SUMMONS, YOUR FAILURE WILL BE DEEMED TO BE YOUR CONSENT TO ENTRY OF A JUDGMENT BY THE BANKRUPTCY COURT AND JUDGMENT BY DEFAULT MAY BE TAKEN AGAINST YOU FOR THE RELIEF DEMANDED IN THE COMPLAINT.**



Laura A. Austin  
Clerk of Court  
United States Bankruptcy Court

By: P Baker, Deputy Clerk  
1100 Laurel Street  
Columbia, SC 29201-2423  
(803) 765-5436

Date of Issuance: 9/9/21

**OFFICE OF THE CLERK  
UNITED STATES BANKRUPTCY COURT**

CLERK OF COURT

LAURA A. AUSTIN

TELEPHONE (803)765-5436

J. BRATTON DAVIS UNITED STATES BANKRUPTCY COURTHOUSE  
1100 LAUREL STREET  
COLUMBIA, SOUTH CAROLINA 29201-2423

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**NOTICE**

9/9/21

Christine E Brimm  
Barton Brimm, PA  
P.O. Box 14805  
Myrtle Beach, SC 29587

Re: 21-80050-dd

The Summons issued by this office is enclosed to be attached to a copy of the complaint you filed and both are to be served by you on the defendant(s) named in the complaint. The summons must be served within seven (7) days of issuance. Within seven (7) days of service, please file an affidavit or certificate of service with this Court pursuant to Federal Rule of Civil Procedure 4(l) and District of South Carolina Local Bankruptcy Rule 9013-3 specifying the names and addresses of the parties served. Part VII of the Federal Rules of Bankruptcy Procedure governs adversary proceedings. Your attention is especially called to Federal Rule of Bankruptcy Procedure 7004 and the applicable provisions of Federal Rule of Civil Procedure 4 regarding time limits for service (Federal Rule of Bankruptcy Procedure 7004(e)) and dismissal for failure to make service (Federal Rule of Civil Procedure 4(m)). Should this adversary proceeding involve the United States of America or a federal agency or officer as a defendant, you are directed to serve a copy of your summons and complaint upon all of the following:

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|---|--|
| a. The agency(ies) and/or officer(s) named as a defendant.  | c. The Attorney General of the United States<br>Civil Division, Bankruptcy Section<br>U.S. Department of Justice<br>Washington, DC 20530 |
| b. United States Attorney for S.C.<br>For: (list the federal agency(ies) and/or officer(s)<br>named as defendant(s))<br>1441 Main Street, Suite 500<br>Columbia, SC 29201 |  |

**THE PLEADING MUST SPECIFICALLY IDENTIFY THE FEDERAL AGENCY INVOLVED.**

Please review Federal Rule of Bankruptcy Procedure 7012 and the applicable provisions of Federal Rule of Civil Procedure 12. If the summons and complaint are properly served and you do not receive an answer or a motion under Federal Rule of Civil Procedure 12 from the defendant or one or more of the defendants within 30 days of the date of issuance of the enclosed summons, the defendant(s) will be considered in default. If this happens, it will be your responsibility as the plaintiff to file an affidavit pursuant to Federal Rule of Civil Procedure 55(a) showing the defendant(s) have failed to plead or otherwise defend and a motion for default judgment pursuant to Federal Rule of Civil Procedure 55(b). If, however, the defendant(s) answer(s) the complaint within the prescribed time period, a pretrial conference will be scheduled and parties will be so notified. If the defendant(s) file(s) Rule 12 motion(s), you will be provided a deadline for responding to the motion(s), and the Court will set the motion(s) for hearing or rule on the motion(s) without a hearing.

Laura A. Austin  
Clerk of Court  
United States Bankruptcy Court

By: P Baker, Deputy Clerk  
1100 Laurel Street  
Columbia, SC 29201-2423  
(803) 765-5436

Enclosures

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<sup>1</sup> If the United States or an agency thereof is a defendant, the United States or the agency shall serve its answer within 35 days after the issuance of the summons. The time for any defendant to answer may be further extended by Order of the Court (Federal Rule of Bankruptcy Procedure 7012(a)).